

**REMARKS**

Claims 9-10 and 12-30 are pending in this application, with claims 9, 12, 14-15, 17-18, 20-21, and 23 being independent.

In the Office Action dated July 7, 2007, ("Office Action"), the Examiner alleged certain deficiencies in Applicant's reply filed on March 30, 2009. Applicant's March 30 reply responded to the Examiner's rejection of claims 9-10 and 12-29 under 35 U.S.C. § 112 ¶ 2 and rejection of claims 14, 17, 20, 23, and 26-29 under 35 U.S.C. § 102(b). Applicant gratefully acknowledges the Examiner's prior indication that claims 9-10, 12-13, 15-16, 18-19, and 21-22, and 24-25 contain allowable subject matter.

By this amendment, Applicant has amended claims 9 and 10. The claim amendments are supported by the originally filed specification and drawings, and no new matter has been entered. Applicant respectfully requests in light of these amendments and the remarks below, in addition to the amendments and remarks filed on March 30, 2009, that the Examiner withdraw the rejections of claims 9-10 and 12-29, and allow the pending claims to proceed to issue.

**I. Examiner's Interpretation of Claim Terms**

The Office Action states that "[i]n regard to claim 9, the applicant disagrees with the examiner's interpretation of the terms 'drive sleeve' and 'dose dial sleeve' but does not give reasons why the examiner's interpretation is not correct." Office Action at 2. Applicant respectfully disagrees with this characterization of its previous remarks.

The Examiner interpreted the terms "drive sleeve" and "dose dial sleeve" solely in connection with the § 102(b) rejections of claims 14, 17, 20, 23, and 26-29. Applicant disagreed with that interpretation and, for each claim rejected under § 102(b), presented

specific reasons for its disagreement. See March 30 Reply at 11-14, *specifically* subsections A, B, C, D, and E.

Aside from the Examiner's comments that claim 9 seemed to have "some inconsistency in the claim language," the Examiner did not interpret the terms "drive sleeve" and "dose dial sleeve" in connection with claim 9. Applicant respectfully submits that its remarks in the March 30 reply sufficiently address the Examiner's sole rejection of claim 9 (under § 112 ¶ 2) by pointing out the consistent differences between, e.g., a drive mechanism and a drug delivery device.

## **II. Alleged Lack of Clarity Within Claim 9**

The Office Action states that "it is not clear whether the recitation of 'the dose dial sleeve' in claim 9 is supposed to be 'a dose dial sleeve' or 'the drive sleeve.'" Office Action at 2. Applicant submits that in light of the present amendments to claims 9 and 10, the Examiner's concerns are moot.

## **III. Conclusion**

For the foregoing reasons and in light of the amendment filed herewith, Applicant submits that it has fully responded to the Examiner's rejections. In light of its response, Applicant respectfully requests that the Examiner remove the outstanding rejections and allow the claims. If the Examiner believes there are any outstanding issues that may be resolved by telephone, he is invited to call the undersigned at (202) 408-4488.

Customer No. 22,852  
Attorney Docket No. 09065.0012

Please grant any extensions of time required to enter this response and charge  
any additional required fees to Deposit Account 06-0916.

Respectfully submitted,

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Dated: August 7 2009

By:   
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